

JOHN A. RAINE.

Letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John A. Raine against the United States.

JANUARY 31, 1896.—Referred to the Committee on War Claims and ordered to be printed.

COURT OF CLAIMS, CLERK'S OFFICE,
Washington, January 30, 1896.

SIR: Pursuant to the order of the court I transmit herewith a certified copy of the findings filed by the court in the aforesaid cause, which case was referred to this court by the Committee on War Claims, House of Representatives, under the act of March 3, 1883.

I am, very respectfully, yours, etc.,

JOHN RANDOLPH,
Assistant Clerk Court of Claims.

HON. THOMAS B. REED,
Speaker of the House of Representatives.

[Court of Claims. Congressional, No. 6563. John A. Raine v. The United States.]

This case, being a claim for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, the court, on a preliminary inquiry, finds that John A. Raine, the person alleged to have furnished such supplies or stores, or from whom the same are alleged to have been taken, was loyal to the Government of the United States throughout said war.

BY THE COURT.

Filed February 6, 1893.

[Court of Claims. Congressional case No. 6563. John A. Raine v. The United States.]

STATEMENT OF CASE.

The claim in the above-entitled case for supplies or stores alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims, House of Representatives, on the 16th day of October, 1888.

On a preliminary inquiry the court, on the 6th day of February, 1893, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout said war.

The case was brought to a hearing on its merits on the 20th day of February, 1895.

C. D. Pennebaker, esq., appeared for claimant, and the Attorney-General, by Felix Brannigan, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

The claimant in his petition makes the following allegations:

That he is a citizen of the United States and that during the late rebellion he owned a store and farm situated in Hardin County, Ky., and that in September, 1861, and at other times, the United States forces took from him, under proper authority, stores and supplies, as follows:

Merchandise.....	\$5,496.00
Lumber	620.46
Brick.....	100.00
Corn	320.00
Wood	320.00
Total.....	6,856.46

The court, upon the evidence and after considering the briefs and arguments of counsel on both sides, makes the following

FINDINGS OF FACTS:

I.

The goods in the claimant's store above described, alleged to have been worth \$5,496, were taken by soldiers, but were not taken for the use of the United States. The taking was because the store was believed to be the property of an enemy, and the goods passed into the possession of individual soldiers. By order of General Sherman, they were returned to the claimant so far as could be found. This portion of the claim, being for acts of depredation and destruction, is excluded from the jurisdiction of the court by the third section of the Bowman Act, and accordingly the value of the property taken is not found by the court.

II.

The remaining property above described was taken for the use of the United States. The reasonable value of the same at the time and place was (\$644) six hundred and forty-four dollars, which does not appear to have been paid for.

BY THE COURT.

Filed February 25, 1895.

A true copy.

Test this 30th day of January, 1896.

[SEAL.]

JOHN RANDOLPH,
Assistant Clerk Court of Claims.